

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

CYNTHIA MICHELLE ODOM,	§	
Petitioner,	§	
	§	
VS.	§	Civil Action No. 4:15-CV-928-O
	§	
JODY R. UPTON, WARDEN,	§	
FMC-CARSWELL,	§	
Respondent.	§	

OPINION AND ORDER

Before the Court is a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 filed by Petitioner, Cynthia Michelle Odom, a federal prisoner who was confined in the Federal Medical Center in Fort Worth, Texas, (FMC-Carswell) when this petition was filed, against Jody R. Upton, Warden of FMC-Carswell, Respondent. After considering the pleadings and relief sought by Petitioner, the Court has concluded that the petition should be dismissed as moot.

I. BACKGROUND

By this action, Petitioner sought a court order directing Respondent to disregard a detainer against her in the State of Oklahoma and release her to home confinement. Pet. 1, ECF No. 3. Respondent has filed a response in which she asserts the petition should be dismissed because Petitioner has been released from the BOP's custody and is no longer confined in FMC-Carswell. Resp't's Resp.1-2, ECF No. 8. Respondent provides proof that Petitioner was released on January 15, 2016. *Id.*, Attach. As of this date, Petitioner has not notified the clerk of Court of her current address or whereabouts.

II. DISCUSSION

Petitioner's release has rendered her habeas petition moot. *Bailey v. Southerland*, 821 F.2d

277, 278-79 (5th Cir. 1987). Because this Court can no longer provide her with the relief she seeks, dismissal of the petition is appropriate. *McRae v. Hogan*, 576 F.2d 615, 616-17 (5th Cir. 1978).

III. CONCLUSION

For the reasons discussed herein, the petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 is **DISMISSED** as moot. Further, pursuant to 28 U.S.C. § 2253(c), for the reasons discussed herein, a certificate of appealability is denied.

SO ORDERED on this 9th day of February, 2016.


Reed O'Connor
UNITED STATES DISTRICT JUDGE